

December 3, 1996

Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, DC 20554

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Dear Secretary,

Enclosed is an original and four copies of a Petition for Rule Making to amend the FM table of allotments for a new FM broadcast station for Weston, Idaho.

Sincerely,



Victor A. Michael Jr.  
President  
West Wind Broadcasting

c/o Magic City Media  
1912 Capitol Avenue, Suite 300  
Cheyenne, Wyoming 82001

307-632-4400

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Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, DC 20554

**In the matter of:**

### Amendment of Section 73.202 (b) )

## Table of Allotments

## FM Broadcast Stations

(Weston, Idaho)

RM-

# PETITION FOR RULE MAKING

In this petition, West Wind Broadcasting is hereby requesting to allot channel 240A (95.9 Mhz) to Weston, Idaho as its first local FM allotment.

## INTRODUCTION

1. This statement is a petition for rule making to allot FM channel 240A (95.9 Mhz) to Weston, Idaho and add it to the Commission's FM table of allotments, 73.202. The following will show the need for an FM channel and the effects the allotment of Channel 240A to Weston will have.

## DISCUSSION

2. Weston is located in southeastern Idaho. It is also located within Franklin County, a county of some 9232 persons. Weston has a population of 390 persons in accordance with the U.S. 1990 census.

3. The allotment of channel 240A to Weston will provide the first local broadcast facility to the community and/or the surrounding area. The closest FM allotment to Weston is located at Preston, Idaho. Preston is located 11 kilometers from Weston.

It is obvious that from the above spacing that Weston is presently without local FM service.

4. Weston would greatly benefit from an FM allotment due to the fact there is no AM or FM broadcast facilities within 11 Kilometers of Weston. Because of this, it would have an outlet for local self expression. Health and safety for the community would be increased due to having a local communications outlet for warning the Weston area of emergency conditions caused by severe weather or other health hazards.

5. Channel 240A can be allotted to Weston and meet all rules and requirements of the Commission. The instant proposal will not cause a change in the channel number or a deletion of any channel now appearing in the Commission's table of allotments 73.202.

	<u>Present</u>	<u>Proposed</u>
Weston	-----	240A

6. In accordance with 73.207 of the Commission's rules, "Minimum Distance Separations between Stations", all allotments on Channel 240A and the pertinent adjacent channels to 240A have been studied with the results listed in Figure 1 of this petition. The geographic coordinates used for the spacing

Study ( N 42 - 02 - 00", W. 111 - 58 - 30") are that of a site located within the community of Weston. No site restriction will be required to allot channel 240A to Weston. Many suitable transmitter sites are available to provide city grade coverage (3.16 mv/m or 70 dbu) to the entire community of Weston. These sites would also provide full minimum spacing requirements to other allotments.

### CONCLUSION

7. It has been shown that Weston would benefit from the allotment of channel 240A. It has also been shown that channel 240A can be allotted to Weston and meet all rules regarding spacing from other stations. Considering these two facts, West Wind Broadcasting hereby requests that the Federal Communications Commission institute a Rule Making proceeding to amend the Table of Allotments to include channel 240A for Weston, Idaho, 73.202.

8. Should channel 240A be allotted to Weston, Idaho, I certify that I will file an application for a Construction Permit to operate an FM station for Weston, Idaho.

## CERTIFICATION

9. I certify that I have prepared or directly supervised the preparation of this entire Petition for Rule Making, and that the facts contained within are true to the best of my knowledge, information and belief, accurate and true.

Dated: December 3, 1996

Respectfully submitted,



Victor A. Michael Jr.  
President  
West Wind Broadcasting

c/o Magic City Media  
1912 Capitol Avenue, Suite 300  
Cheyenne, Wyoming 82001

(307) 632-4400

MAPFM search of channel 240A6 (95.9 MHz), at N. 42 2 0, W. 111 58 30.

Searching Channel 240A6 (95.9 MHz):

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
ALC	Ogden	UT	238	C1	U	89.2	75.0	194.2°	14.2
KYFOFM	Ogden	UT	238	C1	L	89.2	75.0	194.2°	14.2
KYFOFM	Ogden	UT	238	C1	C	89.2	75.0	194.2°	14.2
ALC	Idaho Falls	ID	241	C	U	172.1	165.0	340.9°	7.1
KIDFM	Idaho Falls	ID	241	C	L	172.1	165.0	340.9°	7.1
KXRK	Provo	UT	241	C	C	194.7	165.0	179.0°	29.7
KXRK	Provo	UT	241	C	L	194.7	165.0	179.0°	29.7
ALC	Provo	UT	242	C	U	159.1	95.0	185.5°	64.1
KXRK	Provo	UT	242	C	C	159.1	95.0	185.5°	64.1

FIGURE 1  
CHANNEL STUDY  
WESTON, IDAHO

**FIGURE 1A  
U.S.G.S. MAP SHOWING  
WESTON, IDAHO**

**WESTON QUADRANGLE  
IDAHO—FRANKLIN CO.  
7.5 MINUTE SERIES (TOPOGRAPHIC)**

